

<b>PLANNING COMMISSION MINUTES OF OCTOBER 10, 2005</b>
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**2005-0319 - Wendell L. Whitfield** [Applicant/Owner]: Application for related proposals on a 16,250 square foot site located at **461 and 471 South Murphy Avenue** (near Olive Ave.) in a DSP-11 (Downtown Specific Plan/Block 11) Zoning District. (Negative Declaration) (APNs: 209-26-006, 007) TF

- **Special Development Permit** to allow the construction of five town homes;
- **Tentative Map** to subdivide existing lots into five townhouse lots and one common lot.

**Troy Fujimoto**, Associate Planner, presented the staff report. He said this application was previously approved in 2002, but the permit expired. This application is the same as the original with the only changes to the plans being compliance with the original Conditions of Approval (COA). Staff recommends approval of this project with attached conditions.

**Comm. Klein** asked for clarification about privacy, referring to page 12 of the report regarding the adjacent property to the south that is currently used as a chiropractic office. He said that the report states that “privacy to this structure is not jeopardized.” He asked staff what the zoning of that property is and in the future could it become residential. Mr. Fujimoto said that the zoning is the same as the proposed site and could become residential, but that the wider setback on the south side alleviates the privacy concerns. Comm. Klein asked why there is no guest parking requirements for this project. Trudi Ryan, Planning Officer, said the downtown area has a reduced parking standard, and the total number of parking spaces on this property exceeds the downtown parking requirement. She said there is a long curb area in front of the property for guest parking.

**Comm. Sulser** referred to Attachment B, COA 11.B regarding the banning of renting out parking spaces. Ms. Ryan said the parking on the site is for the residents and not for storage of vehicles or goods for non-residents. Comm. Sulser said his complex has extra parking spaces that are rented out by the management to the residents for extra parking. He asked if this would be banned by this type of COA. Ms. Ryan said this kind of condition would ban the rental of parking spaces.

**Chair Hungerford opened the public hearing.**

**Wendell Whitfield**, the applicant, said he is available for questions.

**Chair Hungerford closed the public hearing.**

**Comm. Babcock moved to adopt the Negative Declaration and approve the Special Development Permit and Tentative Map with attached conditions. Comm. Sulser seconded the motion.**

**Comm. Babcock** said she supports heritage preservation, but since it has been determined that the existing buildings are not of historic importance, that the proposed development is the second best option for this site. She said this project is a terrific addition to this site.

**Final Action:**

**Comm. Babcock made a motion on item 2005-0319, to adopt the Negative Declaration and approve the Special Development Permit and Tentative Map with the attached conditions. Comm. Sulser seconded.**

**Motion carried 6-0, Comm. Moylan absent.**

**This item is appealable to the City Council no later than October 25, 2005.**